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DAVID S. FINE  
SENIOR LAW CLERK

February 17, 2004

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MAY 03 2004

OFFICE OF PETITIONS

Our File 1016.0066

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Re: United States Patent Application Serial No. 09/849,152  
For: FIBER OPTIC WAFER PROBE  
Applicant: Peter R. McCann  
Filed: May 4, 2001

Dear Sir:

Enclosed for filing is a Petition for Revival of a Patent Application abandoned unintentionally under 37 U.S.C. 1.137 (b). Additionally, we enclose an Amendment in Response dated June 18, 2003 which includes a Petition for Extension of Time along with a debit note on the Fee Sheet for \$475 in order to Respond to the Outstanding Office Action; along with FIVE sheets of drawings in response to the Request of the Examiner. Also enclosed is our check payable to the Commissioner for Patents and Trademarks for the Petition to Revive in the current amount of \$665 for a small entity and an acknowledgment postcard.

Please charge Deposit Account No. 03-1550 for the Petition for Extension of Time along with any additional fees which may be required or credit any over payments to that account. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

  
Kevin L. Russell

KLR:djs  
Enclosures

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 U.S.C. 1.137(B)**

Docket No.  
KLR 1016.0066

Applicant: Peter R. McCann

Group Art Unit: 2872

Serial No.: 09/849,152

Examiner: Denise S. Allen

Filed: May 4, 2001

Title: FIBER OPTIC WAFER PROBE

February 17, 2004

Mail Stop Petitions  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The above-identified application became abandoned for failure to timely file a response to the outstanding office action within the statutory period of three months from the mailing date of the Office Action dated June 18, 2003. The abandonment date of this application is September 19, 2003 (i.e. the day after the expiration date set for reply).

**APPLICANT HEREBY PETITIONS  
FOR REVIVAL OF THIS APPLICATION**

1. **Petition fee**

- ☒ Small entity fee of \$ 665 (37 C.F.R. 1017(m))
- ☐ Small entity statement enclosed herewith.
- ☐ Small entity statement previously filed.
- ☐ Other than small entity fee \$ \_\_\_\_\_; (37 C.F.R. 1.17(m))

2. **Reply and/or fee**

A. The reply and/or fee to the above-noted Office Action in the form of an Amendment:

- ☐ has been filed previously on \_\_\_\_\_, and/or
- ☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_:

- ☐ has been paid previously on.
- ☐ is enclosed herewith.

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PETITION TO REVIVE

02/26/2004 AWONDAF1 00000001 09849152

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665.00 OP

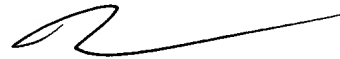
3. **Terminal disclaimer with a disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995 no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 C.F.R. 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. **Statement:**

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

Dated: February 17, 2004



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Enclosures:

- ☒ Reply;
- ☒ Fee Payment: Petition to Revive \$665 enclosed in check;
- ☒ Fee Payment: Extension for Three Months \$475;
- ☒ Petition for Extension ;
- ☒ Amendment in response to June 18, 2003 OA;
- ☒ Copy of the Drawings to the Official Draftsperson; and an
- ☒ Acknowledgment Postcard.

**CERTIFICATE OF UNDER 37 CFR §§ 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence was deposited with the United States Postal Service in an envelope addressed to:  
The Director of Patents, P.O. Box 1450, Alexandria, VA 23313.

☒ with sufficient postage as first class mail

☐ as "Express Mail Post Office to Addressee" - mailing label no.

Date: February 17, 2004

  
\_\_\_\_\_  
Kevin L. Russell